

INFORMATIVE DIGEST

California voters approved Proposition 63 during the November 2004 General Election. Proposition 63, now known as the Mental Health Services Act (the Act), became effective on January 1, 2005. The Act is intended to expand mental health services to children/youth, adults and older adults who have severe mental illnesses/severe mental disorders and whose service needs are not being met through other funding sources. The Act seeks to establish prevention and early intervention programs as well as to develop innovative programs. Through imposition of a 1% tax on personal income in excess of \$1 million, the Act provides the opportunity for the Department of Mental Health (DMH) to provide increased funding, personnel and other resources to support county mental health programs and monitor progress toward statewide goals for children/youth, adults, older adults and families.

The Act directs the county mental health programs to develop and submit a Three-Year Program and Expenditure Plan (Plan) to DMH. The Plan is comprised of five broad components of activities and/or services for which the funding established under the Act can be spent. The components are Community Services and Supports for children, transition-age youth, adults, and older adults; Capital Facilities and Technological Needs; Education and Training; Prevention and Early Intervention; and Innovative Programs.

The Act also requires DMH to establish requirements for each component of the Plan. However, clarification of criteria and expansion of program categories within the components are needed to ensure a standardized implementation of the Act by each of the 58 counties within California.

The standardization is being accomplished through the development of regulations whereby the criteria to access funding for each component is delineated. However, given the scale of each component, DMH will implement each component on a sequential basis and will promulgate regulations accordingly. To this end, DMH proposes that Title 9 of the California Code of Regulations (CCR), Chapter 14, be reserved for the mental health services and supports provisions as provided in the Act.

Title 9, of the CCR, Chapter 14, Articles 1 through 4, are the first of many proposed regulations delineating provisions under the Act. These articles are being filed with the Office of Administrative Law (OAL) pursuant to Welfare and Institutions Code Section 5898 (added with passage of the Act), which deems these regulations necessary for the immediate preservation of the public peace, health and safety, or general welfare, and therefore, to be filed as emergency regulations and not subject to review and approval by OAL nor subject to automatic repeal until final regulations take effect.

As DMH implements each component of the Plan, it will file additional regulations with the OAL.